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TAGS: [ELAB](#) [ECON](#) [EIND](#) [PGOV](#) [SOCI](#) [RS](#)  
SUBJECT: UNION COALITION TO REPORT WORKERS' RIGHTS  
VIOLATIONS TO ILO

REF: MOSCOW 925

Classified By: EconMinCouns Matthias J. Mitman, Reasons 1.4 (b,d)

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SUMMARY  
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11. (C) An independent coalition of Russian unions plans to submit a complaint to the International Labor Organization (ILO) regarding alleged freedom of association violations at various industrial, educational, and service enterprises, including Ford Motor Company and General Motors (GM). The ILO freedom of association complaint process lacks punitive authority but often draws media attention to the cases involved. Alleged violations involving Ford include government obstruction and interference with union activities as well as illegal termination and discipline of union members by the employer. In the case of GM and its joint venture with Russian car manufacturer AvtoVaz, the complaint accuses the government of failing to protect union leader Aleksei Ivanov and his family and claims that the employer used administrative procedures to exert negative pressure on union members. The union coalition authoring the complaint is most likely using the process as an awareness raising mechanism as well as an opportunity to gauge the government's response. End Summary.

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UNIONS PREPARE ILO COMPLAINT ON FREEDOM OF ASSOCIATION  
VIOLATIONS  
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12. (C) The All-Russian Confederation of Labor (VKT) plans to submit a complaint to the ILO regarding violations from 2006-2009 allegedly committed by government and private entities against union members at 13 enterprises, three of which involve U.S. companies. During a recent meeting with Sten Petersen (please protect), Workers' Activities Senior Specialist at the ILO Moscow office, we received an initial draft of the complaint, which VKT intends to submit later this year. Petersen was unable to specify the exact timing of the submission. The cases referenced cover the auto manufacturing, mining, food production, education, and service sectors, mentioning two well-known U.S. auto manufacturers: Ford Motor Company and GM. Specific violations range from bureaucratic obstruction of union activities and excessive reprimands by employers for minor administrative infractions in the workplace to physical attacks on union representatives and the failure of law enforcement authorities to investigate threats against their children.

13. (C) Reports by the ILO Committee on the Freedom of

Association (CFA), which will receive the complaint, lack punitive authority but often attract media attention to the cases involved. The process can take anywhere from two months up to a year, depending on the responsiveness of the parties involved to requests for information and the urgency of the case. The CFA has nine members, three from each of the employer, worker, and government groups that constitute the ILO governing body. It usually meets three times a year in advance of the governing body meetings in March, June, and November, which would suggest that VKT might submit its claim soon in order to include it in the upcoming meeting. After receiving a complaint, the CFA will review it for completeness and request observations from the government referenced before proposing conclusions and recommendations to the governing body. The government involved will receive a formal report from the CFA after the governing body has approved it. The CFA will often re-examine cases after a period of time to assess any changes in the situation, particularly in cases where its conclusions request that it be kept informed of developments or ask the government to take specific action.

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U.S. AUTO MANUFACTURERS ACCUSED OF DISCRIMINATION AGAINST  
UNIONS  
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14. (C) In the complaint, VKT alleged several violations of union rights at the Ford plant in Vsevolozhsk, Leningradskaya oblast by government agencies, including prolonging the union registration process for seven months in 2006 and a demand from the local tax inspection for financial documents and

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membership lists in 2008 that was later determined to be illegal by the regional arbitrage court. In addition, the complaint referenced several instances from 2007-09 in which the local public prosecutor failed to recognize legal violations by the employer, inappropriately requested information from the union on its financing and negotiations with the employer, and neglected to adequately investigate threats and attacks on Ford union chairman Alexei Etmanov. VKT also claimed that Nikolai Sidorov, then Deputy Head of the Presidential Administration's Internal Policy Department, met with Etmanov in 2008 to invite him to head a new union organization that would be created by the authorities as an alternative to the Federation of Independent Unions of Russia.

15. (C) On the employer's side, VKT accused Ford of terminating four employees in 2006 for participation in an "Italian strike," i.e. a strike in which employees come to work but do the bare minimum. In 2007, Ford secured a ruling from the St. Petersburg court determining an announced strike to be illegal. In addition, Ford reprimanded 26 employees for voting in favor of a strike during a workers' conference in 2007, which the company claimed violated labor agreements proscribing actions that would result in financial harm to the employer. (Note: The employees terminated were later able to return to work or receive compensation, and those reprimanded received 1,000 rubles each after a court ruled the action illegal. End Note.)

16. (C) The complaint also alleged severe violations on the part of the government in connection with Evgeniy Ivanov, chairman of the GM factory in St. Petersburg, Leningradskaya oblast. VKT blamed the Ministry of Internal Affairs (MIA), public prosecutor, and courts for failing to protect Ivanov, who was threatened and attacked in February (see reftel). VKT also cited the failure of local police to investigate threats against Ivanov's family after Ivanov received calls ordering him to stop his union activities and informing him that the caller knew the kindergarten his sons attended. In addition, representatives of the MIA Center for Combating Extremism later allegedly pressed Ivanov to become an informant on the union.

17. (C) At the GM-AvtoVaz factory in Tolyatti, Samarskaya oblast, VKT accused the employer of exerting psychological pressure on union representatives by canceling their phone and e-mail access, transferring them to new positions with lower compensation, and reprimanding them for minor administrative violations. In 2006, GM-AvtoVaz also terminated the deputy union chairman for truancy after claiming medical documents certifying her inability to work were improper. The company then attempted to initiate a criminal case against her for forgery. (Note: She was later reinstated with back pay and additional compensation for moral damages by court order. End Note.) In 2008, union chairman Pyotr Zolotarev appealed to the local public prosecutor because GM-AvtoVaz was not transferring union dues collected from members' salaries to the union, but the prosecutor determined that the employer held no obligation to do so in the absence of a collective agreement providing for the transfer of fees.

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COMMENT  
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18. (C) VKT's complaint is unlikely to produce concrete improvements regarding the protection of workers' freedom of association in Russia. VKT President Boris Kravchenko and the other union leaders involved are most likely using the process to raise awareness of the issue and gauge the government's reaction. We have not yet contacted the employers cited in the complaint, but will do so after it has been submitted to the ILO and made public. End Comment.  
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